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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number
10074,162Filing Date
February 12, 2002First Named Inventor
Brian N. TufteArt Unit
2875Examiner Name
Lee, GuiyoungAttorney Docket Number
1076.1101103**ENCLOSURES (Check all that apply)**

- | | | |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form
<input checked="" type="checkbox"/> Fee Attached

<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)

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<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Part B - Fee(s) Transmittal
Comments on Reasons for Allowance
Return Postcard |
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENTFirm Name
Crompton Seager & Tufte

Signature

Printed name
Brian N. TufteDate
February 1, 2005Reg. No.
38,638**CERTIFICATE OF TRANSMISSION/MAILING**

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Lynn Thompson

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February 1, 2005

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brian N. Tufte Confirmation No.: 6734
Serial No. 10/074,162 Examiner: Lee, Guiyoung
Filing Date: February 12, 2002 Group Art Unit: 2875
For: LIGHTING APPARATUS
Docket: 1076.1101103

COMMENTS ON REASONS FOR ALLOWANCE

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By: Lynn Thompson
Lynn Thompson

The Examiner's Statement of Reasons for Allowance accompanying the Notice of Allowability mailed on November 1, 2004 does not appear to be very concise or comprehensive. The Examiner states that although the prior art of record, Nagano, discloses a lighting apparatus having an elongated member including a first material, a second material and a cavity, Nagano fails to disclose a cavity for being at least partially defined by at least a portion of the first member that extends from the cavity to two or more separate outer surface regions of the elongated member, wherein at least part of the outer surface between the two or more separate regions is substantially non-transparent. The Examiner further states that Nagano does not disclose a bumper member and the elongated member further defining a slot for receiving the

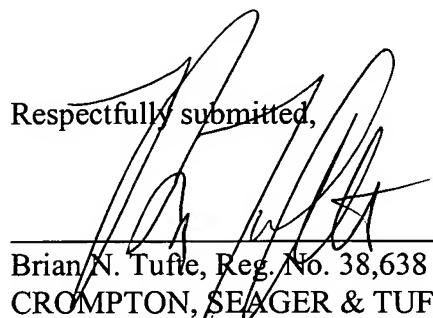
bumper member.

Applicant would like to point out that many of the allowed claims do not recite either: (1) a cavity that is at least partially defined by at least a portion of a first member that extends from the cavity to two or more separate outer surface regions of the elongated member, wherein at least part of the outer surface between the two or more separate regions is substantially non-transparent; or (2) a bumper member and an elongated member, wherein the elongated member defines a slot for receiving the bumper member, as summarized by the Examiner.

In view thereof, Applicant believes that the Examiner did not intend to provide a complete analysis or listing of the reasons why each and every claim is allowable over the prior art. The Examiner did state that claims 1-7, 9-21, 23, 24 and 26-36 are allowed over the prior art. Thus, the Examiner must have concluded that the claims as allowed are patentable over the prior art, and not necessarily for only those reasons summarized in the Examiner's Statement of Reasons for Allowance. Applicant respectfully request clarification if the Examiner does not agree with this statement.

Dated: February 1, 2005

Respectfully submitted,



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